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TO RUEHC/SECSTATE WASHDC 1703
INFO RUEHAK/AMEMBASSY ANKARA 0297
RUEHTH/AMEMBASSY ATHENS 0291
RUEHRL/AMEMBASSY BERLIN 0593
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RUEHBS/AMEMBASSY BRUSSELS 4973
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RUEHEG/AMEMBASSY CAIRO 0082
RUEHBY/AMEMBASSY CANBERRA 0847
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RUEHKU/AMEMBASSY KUWAIT 0119
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RUEHOT/AMEMBASSY OTTAWA 2709
RUEHFR/AMEMBASSY PARIS 1228
RUEHPG/AMEMBASSY PRAGUE 1036
RUEHRK/AMEMBASSY REYKJAVIK 0023
RUEHRA/AMEMBASSY RIGA 0085
RUEHRO/AMEMBASSY ROME 2030
RUEHVJ/AMEMBASSY SARAJEVO 0014
RUEHUL/AMEMBASSY SEOUL 0689
RUEHSF/AMEMBASSY SOFIA 0724
RUEHSM/AMEMBASSY STOCKHOLM 3077
RUEHTL/AMEMBASSY TALLINN 0108
RUEHTC/AMEMBASSY THE HAGUE 7237
RUEHKO/AMEMBASSY TOKYO 0669
RUEHVI/AMEMBASSY VIENNA 0548
RUEHVL/AMEMBASSY VILNIUS 0102
RUEHWR/AMEMBASSY WARSAW 0121
RUEHVB/AMEMBASSY ZAGREB 0375
RUEKJCS/Joint Staff WASHDC
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RUEHGV/USMISSION GENEVA 0836
RUEHNO/USMISSION USNATO 1458

C O N F I D E N T I A L MADRID 000134

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FOR PM/WRA (KATHERINE BAKER) AND EUR/WE

E.O. 12958: DECL: 01/24/2017
TAGS: MOPS PARM PREL NATO SP
SUBJECT: SPANISH ON CLUSTER MUNITIONS DEMARCHE

REF: SECSTATE 6667

Classified By: DCM HUGO LLORENS PER 1.4 (B/D)

¶1. (C) ESTHOFF made reftel points January 24 to MFA Disarmament Affairs Deputy Director General Ignacio Sanchez, sharing U.S. concerns about the movement to restrict the use of cluster munitions, inquiring about GOS intentions vis-a-vis the February 22-3 Oslo Conference, and probing to see if Spain might be interested in military-to-military talks on this subject. Sanchez said that Spain had not received an invitation to the Oslo conference and might not attend even if Norway were to send an invitation to Madrid. He said that at an EU meeting last week, Spain learned that only nine EU states had received invitations from the Norwegians.

¶2. (C) Turning to Spanish views on cluster munitions,

Sanchez made the following points:

-- Spain believes that cluster munitions and their use in warfare need to be better regulated via an international instrument. In particular, the use of such munitions against civilians must be prohibited.

-- The ideal venue for addressing such an instrument remains the Convention on Certain Conventional Weapons (CCW). Spain does not/not want cluster munitions addressed via an Ottawa-style ad hoc negotiating forum.

-- Spain wants to make better use of the existing multilateral disarmament framework, including the CCW. Spain believes that addressing cluster munitions via an ad hoc process, as appears to be the intent of the Norwegians, could undermine the CCW. Spain understands Norway's impatience with the results of the November 2006 Third Review Conference of the States Parties to the CCW, but the CCW should be given more time to effectively grapple with the cluster munitions issue.

-- Spain fears that the prominent role given to NGOs at the Oslo meeting could turn it into a "media circus," to the detriment of states seeking effective regulation of cluster munitions.

-- The Foreign Ministry defers to the Ministry of Defense on the question of whether Spain could ever accept a ban on the use of cluster munitions. At the moment, MOD opposes such a ban. Spain remains a producer and exporter of such weapons and MOD believes that the freedom to employ cluster munitions remains an "operational necessity." MFA will not attempt to change MOD views.

-- The U.S. should feel free to approach the Spanish military on the possibility of a dialogue on cluster munitions, but there might not be much to talk about, since both sides agree on their operational utility.

¶3. (U) POLMILLOFF also passed reftel points to MOD contacts. We will report any substantive reaction we receive from MOD.
Aguirre